

**GENERAL  
OVERVIEW**

Federal laws and regulations require IV-D agencies to attempt to locate individuals (including children in certain instances) in all IV-D cases referred to the IV-D agency or applying for service when location of an individual is necessary to:

- establish parentage,
- establish or set the amount of or enforce child support obligations,
- enforce custody or parenting time orders
- or enforce Federal or State law with respect to the unlawful taking or restraint of a child.

**Definitions**

Location means information concerning the whereabouts of any individual:

- who is under an obligation to pay child support,
- against whom such an obligation is sought, or
- to whom such an obligation is owed.

Along with physical whereabouts of the person, this information includes the individual's Social Security Number, most recent address, and the name, address, and employer identification number of the individual's employer, and/or other sources of income or assets or debts which are sufficient and necessary to take the next appropriate action in a case. State law further specifies that location may be used to disburse child support payments, if an address is unknown.

States must utilize all appropriate local, state, interstate and federal location resources in IV-D cases. Working relationships must be established with agencies in order to utilize location resources effectively.

A central Parent Locator Service (PLS) must be operated in each state using all relevant state sources of information and records and the Federal PLS to locate individuals in IV-D cases. The Federal PLS is a service operated by the Office of Child Support Enforcement to obtain location information from federal and state agencies.

**Timeframes for  
Locate**

Interstate location requests must be made on federally approved forms and transmitted to a state's interstate central registry. The responding state IV-D agency must utilize appropriate resources within 90 calendar days of receipt of the request but is not required to submit interstate cases to the Federal PLS.

Per federal regulations, services must be initiated within 20 calendar days of receipt of a IV-D application or referral when location information is inadequate to proceed with support action. All appropriate resources must be contacted and responses evaluated to ensure that location information is sufficient to take the next appropriate action within 75 calendar days of determining that services are necessary.

When the location of an individual becomes unknown in an open IV-D case, appropriate resources must be contacted and responses evaluated within 75 calendar days of determining that location services are needed.

Repeated location attempts must be made in IV-D cases where previous attempts to locate an individual or his/her income or assets have failed. Services must be initiated immediately upon receipt of new information which may aid in location efforts.

**Role of the  
Support Specialist**

The Support Specialist is responsible for the initial location of the individual. Court action referrals initiated by Support Specialist are considered to contain valid residence and/or employer addresses.

**Role of the  
Prosecuting  
Attorney**

Prosecuting Attorneys are responsible for providing location services after the receipt of a Court Action Referral. The Support Specialist is available to provide assistance depending on staffing levels and local procedures. The PA performs locating activities when necessary to respond to a interstate petition.

**Role of the Friend  
of the Court**

Friends of the Court are responsible for locating individuals in cases where a court order is in place. FOCs also perform locating activities when needed in cases involving child custody/visitation disputes.

All appropriate resources must be contacted in those cases and responses evaluated within 75 days of receiving the new information. Automated state resources must be utilized on a quarterly basis, which at a minimum include State Employment Security Agency files (SESA).

**FPLS USE IN CHILD  
CUSTODY/  
PARENTAL  
KIDNAPPING  
CASES**

The Federal PLS (FPLS) is also utilized to locate individuals and children in non IV-D child custody/visitation or parental kidnapping cases. Location information is available for purposes of enforcing laws prohibiting the unlawful taking or restraint of a child by a parent or to make or enforce a child custody/parenting time determination. Custody/parenting time determination is defined by regulation as a judgment, decree or other order of the court providing for custody or parenting time of a child. It includes permanent or temporary orders and initial orders and modifications.

The State PLS (SPLS) restricts access to the Federal PLS to authorized persons. Authorized persons include:

- A state or local agency or official seeking to enforce a child or child/spousal support order under Title IV-D;

- A court authorized to issue child support orders or to serve as the initiating court in an action to seek an order or any agent of that court;
- The resident parent or person acting to secure support for a child who does not receive FIP;
- An agent or attorney for the state having the authority to enforce a child custody or parenting time determination;
- A court authorized to make or enforce child custody or parenting time determinations or an agent of that court; and
- An agent or attorney for the state or United States having the authority to investigate, enforce, or bring a prosecution with respect to the unlawful taking or restraint of a child.

In most instances the Friend of the Court requests searches in child custody/visitation cases. In parental kidnapping cases, the SPLS accepts search requests from Prosecuting Attorney offices.

To comport with federal regulations, the Office of Child Support Act requires OCS to “coordinate any activity on a state level in a search for an adult responsible for the child.” The definition of “an adult responsible for the child” as used in this act means a parent, relative who has physically cared for the child, putative father, or current or former guardian of a child, including an emancipated or adult child. Governmental departments, boards, commissions, bureaus, or councils; a public or private entity; or a financial institution shall provide OCS with information that will assist in locating an adult responsible for a child. Information obtained by OCS from those entities may only be used and disclosed for purposes of administering, enforcing and complying with state and federal laws governing child support.

## LEGAL BASE

42 USC 653 and 653A  
42 USC 654 and 654A  
42 USC 663  
45 CFR 302.35  
45 CFR 303.3  
45 CFR 303.15  
45 CFR 303.70  
MCLA 400.231 - 400.235  
MCLA 552.518